

PRISONER'S CIVIL RIGHTS COMPLAINT (Rev. 05/2015)

FILED

MAY 20 2020

IN THE UNITED STATES DISTRICT COURT
FOR THE Western DISTRICT OF TEXAS
Federal DIVISION

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature] DEPUTY CLERK

Emilio Juan Sanchez #225419
Plaintiff's Name and ID Number

MCDc
Place of Confinement

CASE NO. 7:20-cv-127-DC-RCG
(Clerk will assign the number)

v.
Midland County Sheriffes Department
Defendant's Name and Address

Defendant's Name and Address

Defendant's Name and Address
(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY**NOTICE:**

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

II. PLACE OF PRESENT CONFINEMENT: MCDC

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted all steps of the institutional grievance procedure?

☒ YES ☐ NO

Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff:

Emilio Juan Sanchez
715 N. Tilden

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: Midland county Sheriffs Department

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

caught hep. B in jail and released for death to
hospital

Defendant #2:

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #3:

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #4:

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #5:

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

I was detained on October 24, 2017 while I was in MCDC I obtained the hep. B. after 5 months of being detained. I told officer Remeriz that I was turning yellow and they said they couldn't do anything for me. My body started swelling and valve movement was white. Officer Scotts went to the E.R. with me. 2 days later had to go back to ER with officer Fentez and spent few hours. Day later I was went back and officer White stayed a night with me. The next day MCDC Released to the hospital, and that's when

VI. RELIEF: they told me I need liver transplant.

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Make it fair and want justice

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

Bubba Sanchez

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

1217272

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? YES ☒ NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): NA

2. Case number: NA

3. Approximate date sanctions were imposed: NA

4. Have the sanctions been lifted or otherwise satisfied? YES ☒ NO

Statement of Claim.

and my life was shortened because of hep. B ate it up. They told me that The MDC was short of staff and they couldn't have an officer with me.

C. Has any court ever warned or notified you that sanctions could be imposed? _____ YES ☒ NO

D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)

1. Court that issued warning (if federal, give the district and division): NA
2. Case number: _____
3. Approximate date warning was issued: _____

Executed on: Feb 19, 2020
DATE

Emilio Sanchez
(Signature of Plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this 19 day of February, 20 20.
(Day) (month) (year)

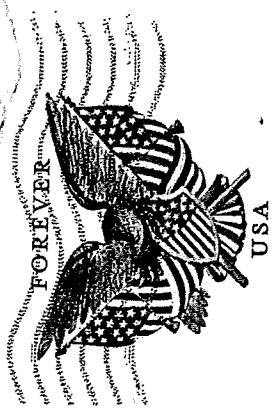
Emilio Sanchez
(Signature of Plaintiff)

WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.

Midland County
Detention Center
P. O. Box 11387
Midland, TX 79702

Emilio Sanchez #225412
PO Box 632
Lebanon, MO 65536

MIDLAND / ODessa
TX 79711
18 MAY 2020 PM



RECEIVED

MAY 20 2020

CLERK, U.S. DISTRICT COURT,
WESTERN DISTRICT OF TEXAS
BY

DEPUTY

Clack US District Court
Western District of Texas
Wanted states courthouse
200 E. Wall ST. Room 220A
Midland TX 79701